

111TH CONGRESS
1ST SESSION

S. 435

To provide for evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to help build individual, family, and community strength and resiliency to ensure that youth lead productive, safe, healthy, gang-free, and law-abiding lives.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 2009

Mr. CASEY (for himself and Ms. SNOWE) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To provide for evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to help build individual, family, and community strength and resiliency to ensure that youth lead productive, safe, healthy, gang-free, and law-abiding lives.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Youth Prison Reduc-
5 tion through Opportunities, Mentoring, Intervention, Sup-
6 port, and Education Act” or the “Youth PROMISE Act”.

1 **SEC. 2. TABLE OF CONTENTS.**

2 The table of contents for this Act is as follows:

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- Sec. 601. Short title.
- Sec. 602. Purposes.
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- Sec. 701. Youth Victim and Witness Assistance Program.
- Sec. 702. Expansion and reauthorization of the Mentoring Initiative for system-involved youth.
- Sec. 703. Study on adolescent development and sentences in the Federal system.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) ADMINISTRATOR.—The term “Adminis-
4 trator” means the Administrator of the Office of Ju-
5 venile Justice and Delinquency Prevention.

6 (2) COMMUNITY.—The term “community”
7 means a unit of local government or an Indian
8 Tribe, or part of such a unit or Tribe, as determined
9 by such a unit or Tribe for the purpose of applying
10 for a grant under this Act.

1 (3) DESIGNATED GEOGRAPHIC AREA.—The
 2 term “designated geographic area” means a 5-digit
 3 postal ZIP Code assigned to a geographic area by
 4 the United States Postal Service.

5 (4) EVIDENCE-BASED.—The term “evidence-
 6 based”, when used with respect to a practice relating
 7 to juvenile delinquency and criminal street gang ac-
 8 tivity prevention and intervention, means a practice
 9 (including a service, program, or strategy) that has
 10 statistically significant juvenile delinquency and
 11 criminal street gang activity reduction outcomes
 12 when evaluated by—

13 (A) an experimental trial, in which partici-
 14 pants are randomly assigned to participate in
 15 the practice that is the subject of the trial; or

16 (B) a quasi-experimental trial, in which the
 17 outcomes for participants are compared with
 18 outcomes for a control group that is made up
 19 of individuals who are similar to such partici-
 20 pants.

21 (5) INTERVENTION.—The term “intervention”
 22 means the provision of programs and services that
 23 are supported by research, are evidence-based or
 24 promising practices, and are provided to youth who
 25 are involved in, or who are identified by evidence-

based risk assessment methods as being at high risk of continued involvement in, juvenile delinquency or criminal street gangs, as a result of indications that demonstrate involvement with problems such as truancy, substance abuse, mental health treatment needs, or siblings who have had involvement with juvenile or criminal justice systems.

(6) JUVENILE DELINQUENCY AND CRIMINAL STREET GANG ACTIVITY PREVENTION.—The term “juvenile delinquency and criminal street gang activity prevention” means the provision of programs and resources to children and families who have not yet had substantial contact with criminal justice or juvenile justice systems, that—

(A) are designed to reduce potential juvenile delinquency and criminal street gang activity risks; and

(B) are evidence-based or promising educational, health, mental health, school-based, community-based, faith-based, parenting, job training, social opportunities and experiences, or other programs, for youth and their families, that have been demonstrated to be effective in reducing juvenile delinquency and criminal street gang activity risks.

1 (7) PROMISING.—The term “promising”, when
 2 used with respect to a practice relating to juvenile
 3 delinquency and criminal street gang activity preven-
 4 tion and intervention, means a practice that is not
 5 evidence-based, but—

6 (A) that has outcomes from an evaluation
 7 that demonstrate that such practice reduces ju-
 8 venile delinquency or criminal street gang activ-
 9 ity; or

10 (B) about which a study is being con-
 11 ducted to determine if such practice is evidence-
 12 based.

13 (8) YOUTH.—The term “youth” means—

14 (A) an individual who is 18 years of age or
 15 younger; or

16 (B) in any State in which the maximum
 17 age at which the juvenile justice system of such
 18 State has jurisdiction over individuals exceeds
 19 18 years of age, an individual who is such max-
 20 imum age or younger.

21 **SEC. 4. FINDINGS.**

22 The Congress finds as follows:

23 (1) Youth gang crime has taken a toll on a
 24 number of urban communities, and senseless acts of

1 gang-related violence have imposed economic, social,
2 and human costs.

3 (2) The use of a wide range of evidence-based
4 and promising programs, integrated into a youth-ori-
5 ented community system of care, has been dem-
6 onstrated to reduce youth violence, delinquency, and
7 crime risks, as well as criminal justice, public assist-
8 ance, victim assistance, and other costs.

9 (3) Coordinated efforts of stakeholders in the
10 juvenile justice system in a local community, to-
11 gether with other organizations and community
12 members concerned with the safety and welfare of
13 children, have a strong record of demonstrated suc-
14 cess in reducing the impact of youth and gang-re-
15 lated crime and violence, as demonstrated in Boston,
16 Massachusetts, Chicago, Illinois, Richmond, Vir-
17 ginia, Los Angeles, California, and other commu-
18 nities.

19 (4) Investment in prevention and intervention
20 programs for children and youth, including quality
21 early childhood programs, comprehensive evidence-
22 based school, after school, and summer school pro-
23 grams, mentoring programs, mental health and
24 treatment programs, evidence-based job training
25 programs, and alternative intervention programs,

1 has been shown to lead to decreased youth arrests,
2 decreased delinquency, lower recidivism, and greater
3 financial savings from an educational, economic, so-
4 cial, and criminal justice perspective.

5 (5) Criminal justice costs have become burden-
6 some in many States and cities, requiring reductions
7 in vital educational, social, welfare, mental health,
8 and related services.

9 (6) Targeting interventions at special youth risk
10 groups and focusing upon relatively low-cost inter-
11 ventions increases the probability of fiscal benefit.

12 (7) Savings achieved through early intervention
13 and prevention are significant, especially when non-
14 criminal justice social, educational, mental health,
15 and economic outcomes are considered.

16 (8) Evidence-based intervention treatment fa-
17 cilities have been shown to reduce youth delinquency
18 and to be cost-effective.

19 (9) The prevention of child abuse and neglect
20 can help stop a cycle of violence and save up to
21 \$5.00 for every \$1.00 invested in preventing such
22 abuse and neglect.

23 (10) Quality early childhood education pro-
24 grams have been demonstrated to help children start

1 school ready to learn and to reduce delinquency and
2 criminal street gang activity risks.

3 (11) Evidence-based mentoring programs have
4 been shown to prevent youth drug abuse and vio-
5 lence.

6 (12) Evidence-based school-based comprehen-
7 sive instructional programs that pair youth with re-
8 sponsible adult mentors have been shown to have a
9 strong impact upon delinquency prevention.

10 (13) After-school programs that connect chil-
11 dren to caring adults and that provide constructive
12 activities during the peak hours of juvenile delin-
13 quency and criminal street gang activity, between
14 3:00 and 6:00 in the afternoon, have been shown to
15 reduce delinquency and the attendant costs imposed
16 on the juvenile and criminal justice systems.

17 (14) States with higher levels of educational at-
18 tainment have been shown to have crime rates lower
19 than the national average. Researchers have found
20 that a 5 percent increase in male high school grad-
21 uation rates would produce an annual savings of al-
22 most \$5,000,000,000 in crime-related expenses.

23 (15) Therapeutic programs that engage and
24 motivate high-risk youth and their families to
25 change behaviors that often result in criminal activ-

1 ity have been shown to significantly reduce recidi-
2 vism among juvenile offenders, and significantly re-
3 duce the attendant costs of crime and delinquency
4 imposed upon the juvenile and criminal justice sys-
5 tems.

6 (16) Comprehensive programs that target kids
7 who are already serious juvenile offenders by ad-
8 dressing the multiple factors in peer, school, neigh-
9 borhood, and family environments known to be re-
10 lated to delinquency can reduce recidivism among ju-
11 venile offenders and save the public significant eco-
12 nomic costs.

13 (17) There are many alternatives to incarcer-
14 ation of youth that have been proven to be more ef-
15 fective in reducing crime and violence at the Na-
16 tional, State, local, and tribal levels, and the failure
17 to provide for such effective alternatives is a perva-
18 sive problem that leads to increased youth, and later
19 adult, crime and violence.

20 (18) Drug- and alcohol-dependent youth, and
21 youth dually diagnosed with addiction and mental
22 health disorders, are more likely to become involved
23 with the juvenile justice system than youth without
24 such risk factors, absent appropriate prevention and
25 intervention services.

1 (19) Research funded by the Department of
2 Justice indicates that gang-membership is short-
3 lived among adolescents. With very few youth re-
4 maining gang-involved throughout their adolescent
5 years, ongoing opportunities for intervention exist.

6 (20) Excessively punitive juvenile justice poli-
7 cies, including over-reliance on incarceration and
8 confinement of youth, particularly in the early stages
9 of delinquent behavior and for non-violent delinquent
10 behavior, have been shown to increase long-term
11 crime risks.

12 (21) Children of color are over-represented rel-
13 ative to the general population at every stage of the
14 juvenile justice system.

15 (22) The rise in homicides in several cities in
16 recent years followed declines in Federal funding
17 provided for law enforcement, educational, health
18 and mental health, social services, and other support
19 to localities for youth, their families, and other com-
20 munity-oriented programs and approaches.

21 (23) Direct expenditure for jails and prisons,
22 correctional personnel, prosecution, and law enforce-
23 ment strategies that lead to increased incarceration
24 have been steadily increasing. In fiscal year 2005,
25 Federal, State, and local governments spent an esti-

1 mated \$204,000,000,000 for law enforcement, incar-
 2 ceration, corrections, and attendant judicial ex-
 3 penses, a 5.5 percent increase over the previous
 4 year.

5 **TITLE I—FEDERAL COORDINA-**
 6 **TION OF LOCAL AND TRIBAL**
 7 **JUVENILE JUSTICE INFORMA-**
 8 **TION AND EFFORTS**

9 **SEC. 101. PROMISE ADVISORY PANEL.**

10 (a) ORGANIZATION OF STATE ADVISORY GROUP
 11 MEMBER REPRESENTATIVES.—Section 223(f) of the Ju-
 12 venile Justice and Delinquency Prevention Act of 1974
 13 (42 U.S.C. 5633(f)) is amended—

14 (1) by striking paragraph (1) and inserting the
 15 following:

16 “(1) ORGANIZATION OF STATE ADVISORY
 17 GROUP MEMBER REPRESENTATIVES.—The Adminis-
 18 trator shall provide technical and financial assist-
 19 ance to a nonpartisan, nonprofit organization that is
 20 described in section 501(c)(3) of the Internal Rev-
 21 enue Code of 1986, to assist such organization in
 22 carrying out the functions specified in paragraph
 23 (2). To receive such assistance, an organization
 24 shall—

25 “(A) be governed by individuals who—

1 “(i) have been appointed by a chief
2 executive of a State to serve as a State ad-
3 visory group member under subsection
4 (a)(3); and

5 “(ii) are elected to serve as a gov-
6 erning officer of such organization by a
7 majority of the Chairs (or Chair-designees)
8 of all such State advisory groups;

9 “(B) include member representatives from
10 a majority of such State advisory groups, who
11 shall be representative of regionally and demo-
12 graphically diverse States and jurisdictions; and

13 “(C) annually seek appointments by the
14 chief executive of each State of one State advi-
15 sory group member and one alternate State ad-
16 visory group member from each such State to
17 implement the advisory functions specified in
18 subparagraphs (D) and (E) of paragraph (2),
19 including serving on the PROMISE Advisory
20 Panel, and make a record of any such appoint-
21 ments available to the public.”; and

22 (2) in paragraph (2), by amending subpara-
23 graph (D) to read as follows:

24 “(D) advising the Administrator with re-
25 spect to particular functions or aspects of the

work of the Office, and appointing a representative, diverse group of members of such organization under paragraph (1) to serve as an advisory panel of State juvenile justice advisors (referred to as the ‘PROMISE Advisory Panel’) to carry out the functions specified in subsection (g); and”.

(b) PROMISE ADVISORY PANEL.—Section 223 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633) is further amended by adding at the end the following new subsection:

“(g) PROMISE ADVISORY PANEL.—

“(1) FUNCTIONS.—The PROMISE Advisory Panel required under subsection (f)(2)(D) shall—

“(A) assess successful evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention carried out by PROMISE Coordinating Councils under such Act;

“(B) provide the Administrator with a list of individuals who have experience in administering or evaluating practices that serve youth involved in, or at risk of involvement in, juvenile delinquency and criminal street gang activity,

1 from which the Administrator shall select indi-
2 viduals who shall—

3 “(i) provide to the Administrator peer
4 reviews of applications submitted by units
5 of local government and Indian tribes pur-
6 suant to title II of such Act, to ensure that
7 such applications demonstrate a clear plan
8 to—

9 “(I) serve youth as part of an en-
10 tire family unit; and

11 “(II) coordinate the delivery of
12 service to youth among agencies; and

13 “(ii) advise the Administrator with re-
14 spect to the award and allocation of
15 PROMISE Planning grants to local and
16 tribal governments that develop PROMISE
17 Coordinating Councils, and of PROMISE
18 Implementation grants to such PROMISE
19 Coordinating Councils, pursuant to title II
20 of such Act;

21 “(C) develop performance standards to be
22 used to evaluate programs and activities carried
23 out with grants under title II of the Youth
24 PROMISE Act, including the evaluation of
25 changes achieved as a result of such programs

1 and activities related to decreases in juvenile
 2 delinquency and criminal street gang activity,
 3 including—

4 “(i) prevention of involvement by at-
 5 risk youth in juvenile delinquency or crimi-
 6 nal street gang activity;

7 “(ii) diversion of youth with a high
 8 risk of continuing involvement in juvenile
 9 delinquency or criminal street gang activ-
 10 ity; and

11 “(iii) financial savings from deferred
 12 or eliminated costs, or other benefits, as a
 13 result of such programs and activities, and
 14 the reinvestment by the unit or Tribe of
 15 any such savings; and

16 “(D) provide the Center for Youth-oriented
 17 Policing with a list of individuals the Panel rec-
 18 ommends for membership on the Youth-ori-
 19 ented Policing Services Advisory Board, pursu-
 20 ant to section 403(c) of the Youth PROMISE
 21 Act.

22 “(2) ANNUAL REPORT.—Not later than 18
 23 months after the date of the enactment of the Youth
 24 PROMISE Act, and annually thereafter, the PROM-
 25 ISE Advisory Panel shall prepare a report con-

1 taining the findings and determinations under para-
 2 graph (1)(A) and shall submit such report to Con-
 3 gress, the President, the Attorney General, and the
 4 chief executive and chief law enforcement officer of
 5 each State, unit of local government, and Indian
 6 Tribe.”.

7 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
 8 299(a)(1) of the Juvenile Justice and Delinquency Preven-
 9 tion Act of 1974 (42 U.S.C. 5671(a)(1)) is amended to
 10 read as follows:

11 “(1) There are authorized to be appropriated to
 12 carry out this title—

13 “(A) \$6,800,000 for fiscal year 2010;

14 “(B) \$7,800,000 for fiscal year 2011;

15 “(C) \$8,800,000 for fiscal year 2012;

16 “(D) \$11,000,000 for fiscal year 2013;

17 and

18 “(E) \$13,600,000 for fiscal year 2014.”.

19 **SEC. 102. GEOGRAPHIC ASSESSMENT OF RESOURCE ALLO-**
 20 **CATION.**

21 (a) GRANT FOR COLLECTION OF DATA TO DETER-
 22 MINE NEED.—Subject to the availability of appropria-
 23 tions, the Administrator shall award a grant, on a com-
 24 petitive basis, to an organization to—

1 (1) collect and analyze data related to the exist-
 2 ing juvenile delinquency and criminal street gang ac-
 3 tivity prevention and intervention needs and re-
 4 sources in each designated geographic area;

5 (2) use the data collected and analyzed under
 6 paragraph (1) to compile a list of designated geo-
 7 graphic areas that are in need of resources to carry
 8 out juvenile delinquency and criminal street gang ac-
 9 tivity prevention and intervention;

10 (3) use the data collected and analyzed under
 11 paragraph (1) to rank such areas in descending
 12 order by the amount of need for resources to carry
 13 out juvenile delinquency and criminal street gang ac-
 14 tivity prevention and intervention, ranking the area
 15 with the greatest need for such resources highest;
 16 and

17 (4) periodically update the list under paragraph
 18 (2) and the rankings under paragraph (3) as the
 19 Administrator determines to be appropriate.

20 (b) DATA SOURCES.—In compiling such list and de-
 21 termining such rankings, the organization shall collect and
 22 analyze data relating to juvenile delinquency and criminal
 23 street gang activity prevention and intervention—

24 (1) using the geographic information system
 25 and web-based mapping application known as the

1 Socioeconomic Mapping and Resource Topography
2 (SMART) system;

3 (2) from the Department of Health and Human
4 Services, the Department of Labor, the Department
5 of Housing and Urban Development, and the De-
6 partment of Education; and

7 (3) from the annual KIDS Count Data Book
8 and other data made available by the KIDS Count
9 initiative of the Annie E. Casey Foundation.

10 (c) USE OF DATA BY THE ADMINISTRATOR.—The list
11 and rankings required by this section shall be provided
12 to the Administrator to be used to provide funds under
13 this Act in the most strategic and effective manner to en-
14 sure that resources and services are provided to youth in
15 the communities with the greatest need for such resources
16 and services.

17 (d) LIMITATION ON USE OF COLLECTED DATA.—
18 The information collected and analyzed under this section
19 may not be used for any purpose other than to carry out
20 the purposes of this Act. Such information may not be
21 used for any purpose related to the investigation or pros-
22 ecution of any person, or for profiling of individuals based
23 on race, ethnicity, socio-economic status, or any other
24 characteristic.

1 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to carry out this section
3 \$1,000,000 for each of the fiscal years 2010 through
4 2012.

5 **TITLE II—PROMISE GRANTS**

6 **SEC. 200. PURPOSES.**

7 The purposes of the grant programs established
8 under this title are to—

9 (1) enable local and tribal communities to as-
10 sess the unmet needs of youth who are involved in,
11 or are at risk of involvement in, juvenile delinquency
12 or criminal street gangs;

13 (2) develop plans appropriate for a community
14 to address those unmet needs with juvenile delin-
15 quency and gang prevention and intervention prac-
16 tices; and

17 (3) implement and evaluate such plans in a
18 manner consistent with this Act.

19 **Subtitle A—PROMISE Assessment** 20 **and Planning Grants**

21 **SEC. 201. PROMISE ASSESSMENT AND PLANNING GRANTS**

22 **AUTHORIZED.**

23 (a) GRANTS AUTHORIZED.—The Administrator is
24 authorized to award grants to units of local government
25 and Indian Tribes to assist PROMISE Coordinating

1 Councils with planning and assessing evidence-based and
 2 promising practices relating to juvenile delinquency and
 3 criminal street gang activity prevention and intervention,
 4 especially for youth who are involved in, or who are at
 5 risk of involvement in, juvenile delinquency and criminal
 6 street gang activity. Such PROMISE Coordinating Coun-
 7 cils shall—

8 (1) conduct an objective needs and strengths
 9 assessment in accordance with section 203; and

10 (2) develop a PROMISE Plan in accordance
 11 with section 204, based on the assessment conducted
 12 in accordance with section 203.

13 (b) GRANT DURATION, AMOUNT, AND ALLOCA-
 14 TION.—

15 (1) DURATION.—A grant awarded under this
 16 section shall be for a period not to exceed one year.

17 (2) MAXIMUM GRANT AMOUNT.—A grant
 18 awarded under this section shall not exceed
 19 \$300,000.

20 (c) ALLOCATION.—

21 (1) MINIMUM ALLOCATION.—Subject to the
 22 availability of appropriations, the Administrator
 23 shall ensure that the total funds allocated under this
 24 section to units of local governments and Indian
 25 tribes in a State shall not be less than \$250,000.

1 (2) RATABLE REDUCTION.—If the amount
 2 made available for grants under this section for any
 3 fiscal year is less than the amount required to pro-
 4 vide the minimum allocation of funds under para-
 5 graph (1) to units of local government and Indian
 6 tribes in each State, then the amount of such min-
 7 imum allocation shall be ratably reduced.

8 **SEC. 202. PROMISE COORDINATING COUNCILS.**

9 To be eligible to receive a grant under this subtitle,
 10 a unit of local government or an Indian Tribe shall estab-
 11 lish a PROMISE Coordinating Council for each commu-
 12 nity of such unit or Tribe, respectively, for which such unit
 13 or Tribe is applying for a grant under this subtitle. Each
 14 such community shall include one or more designated geo-
 15 graphic areas identified on the list required under section
 16 102(a)(2). The members of such a PROMISE Coordi-
 17 nating Council shall be representatives of public and pri-
 18 vate sector entities and individuals that—

19 (1) shall include, to the extent possible, at least
 20 one representative from each of the following:

- 21 (A) the local chief executive's office;
- 22 (B) a local educational agency;
- 23 (C) a local health agency or provider;
- 24 (D) a local mental health agency or pro-
- 25 vider, unless the individual under subparagraph

1 (C) also meets the requirements of this sub-
 2 paragraph;

3 (E) a local public housing agency;

4 (F) a local law enforcement agency;

5 (G) a local child welfare agency;

6 (H) a local juvenile court;

7 (I) a local juvenile prosecutor's office;

8 (J) a private juvenile residential care enti-
 9 ty;

10 (K) a local juvenile public defender's office;

11 (L) a state juvenile correctional entity;

12 (M) a local business community represent-
 13 ative; and

14 (N) a local faith-based community rep-
 15 resentative;

16 (2) shall include two representatives from each
 17 of the following:

18 (A) parents who have minor children, and
 19 who have an interest in the local juvenile or
 20 criminal justice systems;

21 (B) youth between the ages of 15 and 24
 22 who reside in the jurisdiction of the unit or
 23 Tribe; and

24 (C) members from nonprofit community-
 25 based organizations that provide effective delin-

1 quency prevention and intervention to youth in
 2 the jurisdiction of the unit or Tribe; and

3 (3) may include other members, as the unit or
 4 Tribe determines to be appropriate.

5 **SEC. 203. NEEDS AND STRENGTHS ASSESSMENT.**

6 (a) ASSESSMENT.—Each PROMISE Coordinating
 7 Council receiving funds from a unit of local government
 8 or Indian tribe under this subtitle shall conduct an objec-
 9 tive strengths and needs assessment of the resources of
 10 the community for which such PROMISE Coordinating
 11 Council was established, to identify the unmet needs of
 12 youth in the community with respect to evidence-based
 13 and promising practices related to juvenile delinquency
 14 and criminal street gang activity prevention and interven-
 15 tion. The PROMISE Coordinating Council shall consult
 16 with a research partner receiving a grant under section
 17 302 for assistance with such assessment. Such assessment
 18 shall include, with respect to the community for which
 19 such PROMISE Coordinating Council was established—

20 (1) the number of youth who are at-risk of in-
 21 volvement in juvenile delinquency or street gang ac-
 22 tivity;

23 (2) the number of youth who are involved in ju-
 24 venile delinquency or criminal street gang activity,

1 including the number of such youth who are at high-
2 risk of continued involvement;

3 (3) youth unemployment rates during the sum-
4 mer;

5 (4) the number of individuals on public finan-
6 cial assistance (including a breakdown of the num-
7 bers of men, women, and children on such assist-
8 ance), the estimated number of youth who are
9 chronically truant, and the number of youth who
10 have dropped out of school in the previous year;

11 (5) for the year before such assessment, the es-
12 timated total amount expended (by the community
13 and other entities) for the incarceration of offenders
14 who were convicted or adjudicated delinquent for an
15 offense that was committed in such community, in-
16 cluding amounts expended for the incarceration of
17 offenders in prisons, jails, and juvenile facilities that
18 are located in the United States but are not located
19 in such community;

20 (6) a comparison of the amount under para-
21 graph (5) with an estimation of the amount that
22 would be expended for the incarceration of offenders
23 described in such paragraph if the number of offend-
24 ers described in such paragraph was equal to the na-

1 tional average incarceration rate per 100,000 popu-
 2 lation;

3 (7) a description of evidence-based and prom-
 4 ising practices related to juvenile delinquency and
 5 criminal street gang activity prevention available for
 6 youth in the community, including school-based pro-
 7 grams, after school programs (particularly programs
 8 that have activities available for youth between 3:00
 9 and 6:00 in the afternoon), weekend activities and
 10 programs, youth mentoring programs, faith and
 11 community-based programs, summer activities, and
 12 summer jobs, if any; and

13 (8) a description of evidence-based and prom-
 14 ising intervention practices available for youth in the
 15 community.

16 (b) LIMITATION ON USE OF ASSESSMENT INFORMA-
 17 TION.—Information gathered pursuant to this section may
 18 be used for the sole purpose of developing a PROMISE
 19 Plan in accordance with this subtitle.

20 **SEC. 204. PROMISE PLAN COMPONENTS.**

21 (a) IN GENERAL.—Each PROMISE Coordinating
 22 Council receiving funds from a unit of local government
 23 or Indian tribe under this subtitle shall develop a PROM-
 24 ISE Plan to provide for the coordination of, and, as appro-
 25 priate, to support the delivery of, evidence-based and

1 promising practices related to juvenile delinquency and
 2 criminal street gang activity prevention and intervention
 3 to youth and families who reside in the community for
 4 which such PROMISE Coordinating Council was estab-
 5 lished. Such a PROMISE Plan shall—

6 (1) include the strategy by which the PROM-
 7 ISE Coordinating Council plans to prioritize and al-
 8 locate resources and services toward the unmet
 9 needs of youth in the community, consistent with the
 10 needs and available resources of communities with
 11 the greatest need for assistance, as determined pur-
 12 suant to section 102;

13 (2) include a combination of evidence-based and
 14 promising prevention and intervention practices that
 15 are responsive to the needs of the community;

16 (3) take into account the cultural and linguistic
 17 needs of the community; and

18 (4) use approaches that have been shown to be
 19 effective at reducing the rates of juvenile delin-
 20 quency and criminal street gang activity in commu-
 21 nities.

22 (b) MANDATORY COMPONENTS.—Each PROMISE
 23 Plan shall—

24 (1) include a plan to connect youth identified in
 25 paragraphs (1) and (2) of section 203(a) to evi-

1 dence-based or promising practices related to juve-
2 nile delinquency and criminal street gang activity
3 prevention and intervention;

4 (2) identify the amount or percentage of local
5 funds that are available to the PROMISE Coordi-
6 nating Council to carry out the PROMISE Plan;

7 (3) provide strategies to improve indigent de-
8 fense delivery systems, with particular attention
9 given to groups of children who are disproportion-
10 ately represented in the State delinquency system
11 and Federal criminal justice system, as compared to
12 the representation of such groups in the general
13 population of the State;

14 (4) provide for training (which complies with
15 the American Bar Association Juvenile Justice
16 Standards for the representation and care of youth
17 in the juvenile justice system) of prosecutors, de-
18 fenders, probation officers, judges and other court
19 personnel related to issues concerning the develop-
20 mental needs, challenges, and potential of youth in
21 the juvenile justice system (including training re-
22 lated to adolescent development and mental health
23 issues, and the expected impact of evidence-based
24 practices and cost reduction strategies);

1 (5) ensure that the number of youth involved in
2 the juvenile delinquency and criminal justice systems
3 does not increase as a result of the activities under-
4 taken with the funds provided under this subtitle;

5 (6) describe the coordinated strategy that will
6 be used by the PROMISE Coordinating Council to
7 provide at-risk youth with evidenced-based and
8 promising practices related to juvenile delinquency
9 and criminal street gang activity prevention and
10 intervention;

11 (7) propose the performance evaluation process
12 to be used to carry out section 211(d), which shall
13 include performance measures to assess efforts to
14 address the unmet needs of youth in the community
15 with evidence-based and promising practices related
16 to juvenile delinquency and criminal street gang ac-
17 tivity prevention and intervention; and

18 (8) identify the research partner the PROMISE
19 Coordinating Council will use to obtain information
20 on evidenced-based and promising practices related
21 to juvenile delinquency and criminal street gang ac-
22 tivity prevention and intervention, and for the eval-
23 uation under section 211(d) of the results of the ac-
24 tivities carried out with funds under this subtitle.

1 (c) VOLUNTARY COMPONENTS.—In addition to the
2 components under subsection (b), a PROMISE Plan may
3 include evidence-based or promising practices related to
4 juvenile delinquency and criminal street gang activity pre-
5 vention and intervention in the following categories:

6 (1) Early childhood development services (such
7 as pre-natal and neo-natal health services), early
8 childhood prevention, voluntary home visiting pro-
9 grams, nurse-family partnership programs, par-
10 enting and healthy relationship skills training, child
11 abuse prevention programs, Early Head Start, and
12 Head Start.

13 (2) Child protection and safety services (such as
14 foster care and adoption assistance programs), fam-
15 ily stabilization programs, child welfare services, and
16 family violence intervention programs.

17 (3) Youth and adolescent development services,
18 including job training and apprenticeship programs,
19 job placement and retention training, education and
20 after school programs (such as school programs with
21 shared governance by students, teachers, and par-
22 ents, and activities for youth between the hours of
23 3:00 and 6:00 in the afternoon), mentoring pro-
24 grams, conflict resolution skills training, sports,
25 arts, life skills, employment and recreation pro-

1 grams, summer jobs, and summer recreation pro-
2 grams, and alternative school resources for youth
3 who have dropped out of school or demonstrate
4 chronic truancy.

5 (4) Health and mental health services, including
6 cognitive behavioral therapy, play therapy, and peer
7 mentoring and counseling.

8 (5) Substance abuse counseling and treatment
9 services, including harm-reduction strategies.

10 (6) Emergency, transitional, and permanent
11 housing assistance (such as safe shelter and housing
12 for runaway and homeless youth).

13 (7) Targeted gang prevention, intervention, and
14 exit services such as tattoo removal, successful mod-
15 els of anti-gang crime outreach programs (such as
16 “street worker” programs), and other criminal street
17 gang truce or peacemaking activities.

18 (8) Training and education programs for preg-
19 nant teens and teen parents.

20 (9) Alternatives to detention and confinement
21 programs (such as mandated participation in com-
22 munity service, restitution, counseling, and intensive
23 individual and family therapeutic approaches).

24 (10) Pre-release, post-release, and reentry serv-
25 ices to assist detained and incarcerated youth with

1 transitioning back into and reentering the commu-
 2 nity.

3 **SEC. 205. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated to carry out
 5 this subtitle and section 102, \$300,000,000 for fiscal year
 6 2010.

7 **Subtitle B—PROMISE**
 8 **Implementation Grants**

9 **SEC. 211. PROMISE IMPLEMENTATION GRANTS AUTHOR-**
 10 **IZED.**

11 (a) PROMISE IMPLEMENTATION GRANTS AUTHOR-
 12 IZED.—The Administrator of the Office of Juvenile Jus-
 13 tice and Delinquency Prevention is authorized to award
 14 grants to units of local government and Indian Tribes to
 15 assist PROMISE Coordinating Councils with imple-
 16 menting PROMISE Plans (developed pursuant to subtitle
 17 A).

18 (b) GRANT DURATION AND AMOUNT.—

19 (1) DURATION.—A grant awarded under this
 20 section shall be for a four-year period.

21 (2) MAXIMUM GRANT AMOUNT.—A grant
 22 awarded under this section shall not be for more
 23 than \$10,000,000 per year for each year of the
 24 grant period.

1 (c) NON-FEDERAL FUNDS REQUIRED.—For each fis-
 2 cal year during the four-year grant period for a grant
 3 under this subtitle, each unit of local government or In-
 4 dian Tribe receiving such a grant for a PROMISE Coordi-
 5 nating Council shall provide, from non-Federal funds, in
 6 cash or in kind, 25 percent of the costs of the activities
 7 carried out with such grant.

8 (d) EVALUATION.—Of any funds provided to a unit
 9 of local government or an Indian Tribe for a grant under
 10 this subtitle, not more than \$100,000 shall be used to pro-
 11 vide a contract to a competitively selected organization to
 12 assess the progress of the unit or Tribe in addressing the
 13 unmet needs of youth in the community, in accordance
 14 with the performance measures under section 204(b)(7).

15 **SEC. 212. PROMISE IMPLEMENTATION GRANT APPLICA-**
 16 **TION REQUIREMENTS.**

17 (a) APPLICATION REQUIRED.—To be eligible to re-
 18 ceive a PROMISE Implementation grant under this sub-
 19 title, a unit of local government or Indian Tribe that re-
 20 ceived a PROMISE Assessment and Planning grant under
 21 subtitle A shall submit an application to the Administrator
 22 of the Office of Juvenile Justice and Delinquency Preven-
 23 tion not later than one year after the date such unit of
 24 local government or Indian Tribe was awarded such grant
 25 under subtitle A, in such manner, and accompanied by

1 such information, as the Administrator, after consultation
 2 with the organization under section 223(f)(1) of the Juve-
 3 nile Justice and Delinquency Prevention Act of 1974 (42
 4 U.S.C. 5633(f)(1)), may require.

5 (b) CONTENTS OF APPLICATION.—Each application
 6 submitted under subsection (a) shall—

7 (1) identify potential savings from criminal jus-
 8 tice costs, public assistance costs, and other costs
 9 avoided by utilizing evidence-based and promising
 10 practices related to juvenile delinquency and crimi-
 11 nal street gang activity prevention and intervention;

12 (2) document—

13 (A) investment in evidence-based and
 14 promising practices related to juvenile delin-
 15 quency and criminal street gang activity preven-
 16 tion and intervention to be provided by the unit
 17 of local government or Indian Tribe;

18 (B) the activities to be undertaken with
 19 the grants funds;

20 (C) any expected efficiencies in the juvenile
 21 justice or other local systems to be attained as
 22 a result of implementation of the programs
 23 funded by the grant; and

1 (D) outcomes from such activities, in
 2 terms of the expected numbers related to re-
 3 duced criminal activity;

4 (3) describe how savings sustained from invest-
 5 ment in prevention and intervention practices will be
 6 reinvested in the continuing implementation of the
 7 PROMISE Plan; and

8 (4) provide an assurance that the local fiscal
 9 contribution with respect to evidence-based and
 10 promising practices related to juvenile delinquency
 11 and criminal street gang activity prevention and
 12 intervention in the community for which the PROM-
 13 ISE Coordinating Council was established for each
 14 year of the grant period will not be less than the
 15 local fiscal contribution with respect to such prac-
 16 tices in the community for the year preceding the
 17 first year of the grant period.

18 **SEC. 213. GRANT AWARD GUIDELINES.**

19 (a) SELECTION AND DISTRIBUTION.—Grants award-
 20 ed under this subtitle shall be awarded on a competitive
 21 basis. The Administrator shall—

22 (1) take such steps as may be necessary to en-
 23 sure that grants are awarded to units of local gov-
 24 ernments and Indian Tribes in areas with the high-
 25 est concentrations of youth who are—

1 (A) at-risk of involvement in juvenile delin-
2 quency or criminal street gang activity; and

3 (B) involved in juvenile delinquency or
4 street gang activity and who are at high-risk of
5 continued involvement; and

6 (2) give consideration to the need for grants to
7 be awarded to units of local governments and Indian
8 Tribes in each region of the United States, and
9 among urban, suburban, and rural areas.

10 (b) EXTENSION OF GRANT AWARD.—The Adminis-
11 trator may extend the grant period under section
12 211(b)(1) for a PROMISE Implementation grant to a unit
13 of local government or an Indian Tribe, in accordance with
14 regulations issued by the Administrator.

15 (c) RENEWAL OF GRANT AWARD.—Subject to the
16 availability of appropriations, the Administrator may
17 renew a PROMISE Implementation grant to a unit of
18 local government or an Indian Tribe to provide such unit
19 or Tribe with additional funds to continue implementation
20 of a PROMISE Plan. Such a renewal—

21 (1) shall be initiated by an application for re-
22 newal from a unit of local government or an Indian
23 Tribe;

24 (2) shall be carried out in accordance with reg-
25 ulations issued by the Administrator; and

1 (3) shall not be granted unless the Adminis-
 2 trator determines such a renewal to be appropriate
 3 based on the results of the evaluation conducted
 4 under section 223(a) with respect to the community
 5 of such unit of Tribe for which a PROMISE Coordi-
 6 nating Council was established, and for which such
 7 unit or Tribe is applying for renewal.

8 **SEC. 214. REPORTS.**

9 Not later than one year after the end of the grant
 10 period for which a unit of local government or an Indian
 11 Tribe receives a PROMISE Implementation grant, and
 12 annually thereafter for as long as such unit or Tribe con-
 13 tinues to receive Federal funding for a PROMISE Coordi-
 14 nating Council, such unit or Tribe shall report to the Ad-
 15 ministrators regarding the use of Federal funds to imple-
 16 ment the PROMISE Plan developed under subtitle A.

17 **SEC. 215. AUTHORIZATION OF APPROPRIATIONS.**

18 There is authorized to be appropriated to carry out
 19 this subtitle, such sums as may be necessary for each of
 20 the fiscal years 2010 through 2013.

21 **Subtitle C—General PROMISE**
 22 **Grant Provisions**

23 **SEC. 221. NON-SUPPLANTING CLAUSE.**

24 A unit of local government or Indian Tribe receiving
 25 a grant under this title shall use such grant only to supple-

1 ment, and not supplant, the amount of funds that, in the
 2 absence of such grant, would be available to address the
 3 needs of youth in the community with respect to evidence-
 4 based and promising practices related to juvenile delin-
 5 quency and criminal street gang activity prevention and
 6 intervention.

7 **SEC. 222. GRANT APPLICATION REVIEW PANEL.**

8 The Administrator of the Office of Juvenile Justice
 9 and Delinquency Prevention, in conjunction with the
 10 PROMISE Advisory Panel, shall establish and utilize a
 11 transparent, reliable, and valid system for evaluating ap-
 12 plications for PROMISE Assessment and Planning grants
 13 and for PROMISE Implementation grants, and shall de-
 14 termine which applicants meet the criteria for funding,
 15 based primarily on a determination of greatest need (in
 16 accordance with section 102), with due consideration to
 17 other enumerated factors and the indicated ability of the
 18 applicant to successfully implement the program described
 19 in the application.

20 **SEC. 223. EVALUATION OF PROMISE GRANT PROGRAMS.**

21 (a) EVALUATION REQUIRED.—Subject to the avail-
 22 ability of appropriations under this title, the Adminis-
 23 trator shall, in consultation with the organization under
 24 section 223(f)(1) of the Juvenile Justice and Delinquency
 25 Prevention Act of 1974 (42 U.S.C. 5633(f)(1)), provide

1 for an evaluation of the programs and activities carried
2 out with grants under this title. In carrying out this sec-
3 tion, the Administrator shall—

4 (1) award grants to institutions of higher edu-
5 cation (including institutions that are eligible to re-
6 ceive funds under part J of title IV of the Higher
7 Education Act of 1965 (as amended by Public Law
8 110–84)) to facilitate the evaluation process and
9 measurement of achieved outcomes;

10 (2) identify evidence-based and promising prac-
11 tices used by Promise Coordinating Councils under
12 PROMISE Implementation grants that have proven
13 to be effective in preventing involvement in, or di-
14 verting further involvement in, juvenile delinquency
15 or criminal street gang activity; and

16 (3) ensure—

17 (A) that such evaluation is based on the
18 performance standards that are developed by
19 the PROMISE Advisory Panel in accordance
20 with section 223(g) of the Juvenile Justice and
21 Delinquency Prevention Act of 1974 (as added
22 by section 101(b) of this Act);

23 (B) the development of longitudinal and
24 clinical trial evaluation and performance meas-

urements with regard to the evidence-based and promising practices funded under this title; and

(C) the dissemination of the practices identified in paragraph (2) to the National Research Center for Proven Practices Research (established under section 301), units of local government, and Indian Tribes to promote the use of such practices by such units and Tribes to prevent involvement in, or to divert further involvement in, juvenile delinquency or criminal street gang activity.

(b) RESULTS TO THE NATIONAL RESEARCH CENTER FOR PROVEN JUVENILE JUSTICE PRACTICES.—The Administrator shall provide the results of the evaluation under subsection (a) to the National Research Center for Proven Juvenile Justice Practices established under section 301.

TITLE III—PROMISE RESEARCH CENTERS

SEC. 301. ESTABLISHMENT OF NATIONAL RESEARCH CENTER FOR PROVEN JUVENILE JUSTICE PRACTICES.

(a) CENTER ESTABLISHED.—Subject to the availability of appropriations, the Administrator shall award a grant to a nonprofit organization with a national reputa-

1 tion for expertise in operating or evaluating effective, evi-
2 denced-based practices related to juvenile delinquency and
3 criminal street gang activity prevention or intervention to
4 develop a National Research Center for Proven Juvenile
5 Justice Practices. Such center shall—

6 (1) collaborate with institutions of higher edu-
7 cation as regional partners to create a best practices
8 juvenile justice information-sharing network to sup-
9 port the programs and activities carried out with
10 grants under title II of this Act;

11 (2) collect, and disseminate to PROMISE Co-
12 ordinating Councils, research and other information
13 about evidence-based and promising practices related
14 to juvenile delinquency and criminal street gang ac-
15 tivity prevention and intervention to inform the ef-
16 forts of PROMISE Coordinating Councils and re-
17 gional research partners and to support the pro-
18 grams and activities carried out with grants under
19 title II of this Act;

20 (3) increase the public's knowledge and under-
21 standing of effective juvenile justice practices to pre-
22 vent crime and delinquency and reduce recidivism;
23 and

24 (4) develop, manage, and regularly update an
25 Internet website to disseminate proven practices for

1 successful juvenile delinquency prevention and inter-
2 vention.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to carry out this section
5 \$5,000,000 for each of the fiscal years 2010 through
6 2014.

7 **SEC. 302. GRANTS FOR REGIONAL RESEARCH PROVEN**
8 **PRACTICES PARTNERSHIPS.**

9 (a) GRANT PROGRAM AUTHORIZED.—The Adminis-
10 trator shall, subject to the availability of appropriations,
11 establish a grant program to award grants to institutions
12 of higher education to serve as regional research partners
13 with PROMISE Coordinating Councils that are located in
14 the same geographic region as an institution, in collabora-
15 tion with the National Center for Juvenile Justice Proven
16 Practices authorized under section 301. Regional research
17 partners shall provide research support to such PROMISE
18 Coordinating Councils, including—

19 (1) assistance with preparing PROMISE grant
20 applications under title II, including collection of
21 baseline data for such applications;

22 (2) assistance with the needs and strengths as-
23 sessments conducted under section 203; and

1 (3) provision of support services to PROMISE
 2 grant recipients for data collection and analysis to
 3 assess progress under the PROMISE grant.

4 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
 5 authorized to be appropriated to carry out this section
 6 \$20,000,000 for each of the fiscal years 2010 through
 7 2014.

8 **TITLE IV—YOUTH-ORIENTED** 9 **POLICING SERVICES**

10 **SEC. 401. PURPOSE.**

11 The purpose of this title is to prevent involvement
 12 by youth in, and to divert youth from further involvement
 13 in, juvenile delinquency and criminal street gang activity
 14 by providing funding for youth-oriented community-based
 15 law enforcement, through coordination with PROMISE
 16 Coordinating Councils and other community-based organi-
 17 zations, to carry out evidenced-based and promising prac-
 18 tices related to juvenile delinquency and criminal street
 19 gang activity prevention and intervention that are aimed
 20 at reducing—

- 21 (1) the number of youth who are victims of
- 22 crime;
- 23 (2) self-destructive behaviors in youth, including
- 24 dropping out of school;
- 25 (3) juvenile delinquency; and

1 (4) criminal street gang activity.

2 **SEC. 402. DEFINITIONS.**

3 In this title:

4 (1) YOUTH-ORIENTED POLICING SERVICE.—The
5 term “Youth-oriented Policing Service” means a
6 strategic effort by a State, local, or tribal law en-
7 forcement agency to—

8 (A) provide evidenced-based and promising
9 practices related to juvenile delinquency and
10 criminal street gang activity prevention and
11 intervention; and

12 (B) use strategies based on the SARA
13 model, in collaboration with community-based
14 public and private organizations, to reduce—

15 (i) the number of youth who are vic-
16 tims of crime; and

17 (ii) the risks of juvenile delinquency
18 and criminal street gang activity.

19 (2) SARA MODEL.—The term “SARA model”
20 means a problem-solving technique used to organize
21 approaches to recurring problems, which requires ac-
22 tion with respect to a problem that includes scan-
23 ning, analysis, response, and assessment.

1 **SEC. 403. GRANTS TO STATE, LOCAL, AND TRIBAL LAW EN-**
2 **FORCEMENT AGENCIES TO HIRE AND TRAIN**
3 **YOUTH-ORIENTED POLICING OFFICERS.**

4 (a) **HIRING GRANTS AUTHORIZED.**—Subject to the
5 availability of appropriations, the Director of the Office
6 of Community Oriented Policing Services shall award
7 grants to State, local, and tribal law enforcement agen-
8 cies—

9 (1) to hire law enforcement officers as youth-
10 oriented police to work collaboratively with PROM-
11 ISE Coordinating Councils, other community-based
12 organizations, and youth at high risk of becoming
13 involved in delinquent activities to reduce such risks
14 through specialized training related to—

15 (A) youth development;

16 (B) investigation of offenses committed by
17 youth; and

18 (C) the effectiveness of evidenced-based
19 and promising practices related to juvenile de-
20 linquency and criminal street gang activity pre-
21 vention and intervention, as compared to the ef-
22 fectiveness of traditional law enforcement ap-
23 proaches, when dealing with youth; and

24 (2) for training and capacity-building of law en-
25 forcement agencies related to youth-oriented policing
26 practices and efforts, including—

1 (A) carrying out youth-oriented policing
2 activities including systematic needs assess-
3 ment, coordination, technology deployment,
4 technical assistance, and problem solving tech-
5 niques (such as strategies based on the SARA
6 model); and

7 (B) working with PROMISE Coordinating
8 Councils to develop effective initiatives and
9 practices that promote healthy youth develop-
10 ment and prevent involvement by youth in, or
11 divert further youth involvement in, juvenile de-
12 linquency and criminal street gang activity.

13 (b) DURATION.—A grant awarded to a law enforce-
14 ment agency under this section shall be for a 4-year pe-
15 riod.

16 (c) MAXIMUM GRANT AMOUNT.—A grant awarded to
17 a law enforcement agency under this section shall not ex-
18 ceed \$2,000,000.

19 (d) PRIORITY.—In awarding grants under this sec-
20 tion, the Director shall give priority to law enforcement
21 agencies that serve designated geographic areas that are
22 ranked highest in the rankings of such areas determined
23 under section 102, and shall consider whether a law en-
24 forcement agency serves a community for which a PROM-
25 ISE Coordinating Council was established.

1 **SEC. 404. ESTABLISHMENT OF CENTER FOR YOUTH-ORI-**
2 **ENTED POLICING.**

3 (a) GRANT TO ESTABLISH CENTER FOR YOUTH-ORI-
4 ENTED POLICING.—Subject to the availability of appro-
5 priations, the Director of the Office of Community Ori-
6 ented Policing Services shall award a grant, on a competi-
7 tive basis, to an eligible organization to establish a Center
8 for Youth-oriented Policing to—

9 (1) develop a model Youth-oriented Policing
10 Services training program to train representatives
11 from State, regional, and local law enforcement
12 training academies to provide Youth-oriented Polic-
13 ing Services training to law enforcement officers,
14 which shall—

15 (A) be based on evidence-based and prom-
16 ising practices related to juvenile delinquency
17 and criminal street gang activity prevention and
18 intervention; and

19 (B) include training related to specialized
20 police services for preventing youth at who are
21 involved in, or who are at high risk of becoming
22 involved in, juvenile delinquency or criminal
23 street gang activity;

24 (2) support the adoption of new technologies re-
25 lated to—

1 (A) the prioritization of risks related to ju-
 2 venile delinquency and criminal street gang ac-
 3 tivity;

4 (B) the safety of juveniles in custody; and

5 (C) the prevention of gun violence; and

6 (3) develop, compile, and disseminate to youth-
 7 oriented police information about evidence-based and
 8 promising practices that are best practices for
 9 Youth-oriented Policing Services for preventing and
 10 reducing involvement of youth in juvenile delin-
 11 quency and criminal street gang activity.

12 (b) ELIGIBLE ORGANIZATION.—In this section, the
 13 term “eligible organization” means a nonprofit organiza-
 14 tion that has demonstrated—

15 (1) experience in providing training, advice, and
 16 support to law enforcement agencies;

17 (2) commitment to helping youth avoid delin-
 18 quency, crime, and involvement with the juvenile and
 19 criminal justice systems;

20 (3) experience in providing law-abiding alter-
 21 native life styles to youth who are participating in
 22 delinquency and criminal street gang activity, or who
 23 are involved with the juvenile or criminal justice sys-
 24 tems; and

1 (4) ability and commitment to work in partner-
 2 ship with community-based organizations that pro-
 3 vide services to reduce juvenile delinquency and
 4 criminal street gang activity.

5 (c) YOPS ADVISORY BOARD.—

6 (1) BOARD ESTABLISHED.—The Center for
 7 Youth-oriented Policing established pursuant to sub-
 8 section (a) shall establish a Youth-oriented Policing
 9 Services Advisory Board to develop an annual work
 10 plan for the Center (in accordance with the condi-
 11 tions and requirements of the grant provided under
 12 this section). Such Board shall meet at least once
 13 each calendar quarter to consider reports of the
 14 Center’s activities (including progress made toward
 15 accomplishing such work plan), and to approve con-
 16 tinuation of or amendment to such work plan.

17 (2) MEMBERSHIP.—The membership of the
 18 Youth-oriented Policing Services Advisory Board
 19 shall—

20 (A) be composed of—

21 (i) an appointee of the chief executive
 22 of the Center for Youth-oriented Policing,
 23 who shall serve in an ex-officio capacity;

24 (ii) an appointee of the PROMISE
 25 Advisory Panel established pursuant to

1 section 223(g) of the Juvenile Justice and
2 Delinquency Prevention Act of 1974 (as
3 added by section 101(b) of this Act), who
4 shall serve in an ex-officio capacity; and

5 (iii) individuals who are selected by
6 the Center for Youth-oriented Policing
7 from a list of recommended individuals
8 provided by the PROMISE Advisory Panel
9 in accordance with such section 223(g), as
10 follows:

11 (I) 8 law enforcement officers
12 from international, national, State,
13 and local law enforcement organiza-
14 tions;

15 (II) 4 juvenile justice administra-
16 tors (including judges), including 2
17 administrators from the State level
18 and 2 administrators from the local
19 level;

20 (III) 4 representatives of commu-
21 nity-based organizations that advocate
22 for juveniles, one each from a na-
23 tional, State, local, and tribal organi-
24 zation; and

1 (IV) 4 individuals who research
2 juvenile crime prevention issues; and

3 (B) to the greatest extent possible, have a
4 demographic composition that represents the
5 demographic composition of the population of
6 the United States.

7 (3) TERM OF MEMBERSHIP.—Members of the
8 Youth-oriented Policing Services Advisory Board
9 shall serve for 3-year staggered terms.

10 **SEC. 405. AUTHORIZATION OF APPROPRIATIONS.**

11 There is authorized to be appropriated to carry out
12 this title \$100,000,000 for each of the fiscal years 2010
13 through 2014, to be made available as follows:

14 (1) Such sums as may be necessary in each
15 such fiscal year to carry out the activities of the
16 Center for Youth-oriented Policing established pur-
17 suant to section 404, except that such sums shall
18 not exceed \$5,000,000 or 10 percent of the total
19 amount appropriated to carry out this title, which
20 ever is less.

21 (2) Of the funds remaining for each such fiscal
22 year after sums are made available under paragraph
23 (1)—

1 (A) 80 percent shall be available to award
 2 grants to carry out the activities in section
 3 403(a)(1); and

4 (B) 20 percent shall be available to award
 5 grants to carry out the activities in section
 6 403(a)(2).

7 **TITLE V—ENHANCED FEDERAL**
 8 **SUPPORT OF LOCAL LAW EN-**
 9 **FORCEMENT**

10 **Subtitle A—Comprehensive Gang**
 11 **Prevention and Relief**

12 **SEC. 501. SHORT TITLE.**

13 This subtitle may be cited as “Mynisha’s Law”.

14 **SEC. 502. FINDINGS.**

15 Congress finds—

16 (1) with an estimated 26,500 gangs operating
 17 within the United States, gang violence and drug
 18 trafficking remain serious problems throughout the
 19 country, causing injury and death to innocent vic-
 20 tims, often children;

21 (2) on November 13, 2005, a gang-related dis-
 22 pute broke out in San Bernardino, California, and
 23 gunfire sprayed an apartment building, killing 11-
 24 year-old Mynisha Crenshaw and seriously wounding

1 her 14-year-old sister as they ate Sunday dinner
2 with their family;

3 (3) this tragic shooting symbolizes the struggle
4 that so many communities across the United States,
5 like San Bernardino, face in combating gang vio-
6 lence, and serves as a reminder of the nationwide
7 problem of protecting children from senseless vio-
8 lence;

9 (4) according to the National Drug Threat As-
10 sessment, criminal street gangs are responsible for
11 the distribution of much of the cocaine, meth-
12 amphetamine, heroin, and other illegal drugs
13 throughout the United States;

14 (5) the Federal Government has made an in-
15 creased commitment to the suppression of gang vio-
16 lence through enhanced law enforcement and crimi-
17 nal penalties; and

18 (6) more Federal resources and coordination
19 are needed to reduce gang violence through proven
20 and proactive prevention and intervention programs
21 that focus on keeping at-risk youth in school and out
22 of the criminal justice system.

1 **SEC. 503. DESIGNATION AS A HIGH INTENSITY GANG ACTIV-**
2 **ITY AREA.**

3 (a) IN GENERAL.—A unit of local government, city,
4 county, tribal government, or a group of counties (whether
5 located in 1 or more States) may submit an application
6 to the Attorney General for designation as a High Inten-
7 sity Gang Activity Area.

8 (b) CRITERIA.—

9 (1) IN GENERAL.—The Attorney General shall
10 establish criteria for reviewing applications sub-
11 mitted under subsection (a).

12 (2) CONSIDERATIONS.—In establishing criteria
13 under subsection (a) and evaluating an application
14 for designation as a High Intensity Gang Activity
15 Area, the Attorney General shall consider—

16 (A) the current and predicted levels of
17 gang crime activity in the area;

18 (B) the extent to which violent crime in
19 the area appears to be related to criminal gang
20 activity;

21 (C) the extent to which the area is already
22 engaged in local or regional collaboration re-
23 garding, and coordination of, gang prevention
24 activities; and

25 (D) such other criteria as the Attorney
26 General determines to be appropriate.

1 **SEC. 504. PURPOSE OF THE TASK FORCE.**

2 (a) IN GENERAL.—In order to coordinate Federal as-
3 sistance to High Intensity Gang Activity Areas, the Attor-
4 ney General shall establish an Interagency Gang Preven-
5 tion Task Force (in this subtitle referred to as the “Task
6 Force”) in each such area, consisting of a representative
7 from—

8 (1) the Department of Justice;

9 (2) the Department of Education;

10 (3) the Department of Labor;

11 (4) the Department of Health and Human
12 Services; and

13 (5) the Department of Housing and Urban De-
14 velopment.

15 (b) COORDINATION.—For each High Intensity Gang
16 Activity Area designated by the Attorney General under
17 section 503, the Task Force shall—

18 (1) coordinate the activities of the Federal Gov-
19 ernment to create a comprehensive gang prevention
20 response, focusing on early childhood intervention,
21 at-risk youth intervention, literacy, employment,
22 community policing, and comprehensive community-
23 based programs such as Operation Cease Fire; and

24 (2) coordinate its efforts with local and regional
25 gang prevention efforts.

1 (c) PROGRAMS.—Each Task Force shall prioritize the
2 needs of a High Intensity Gang Activity Area for funding
3 under—

4 (1) the Child Care and Development Block
5 Grant Act of 1990 (42 U.S.C. 9858 et seq.);

6 (2) the Even Start programs under subpart 3
7 of part B of title I of the Elementary and Secondary
8 Education Act of 1965 (20 U.S.C. 6381 et seq.);

9 (3) the Healthy Start Initiative under section
10 330H of the Public Health Services Act (42 U.S.C.
11 254e–8);

12 (4) the Head Start Act (42 U.S.C. 9831 et
13 seq.);

14 (5) the 21st Century Community Learning Cen-
15 ters program under part B of title IV of the Ele-
16 mentary and Secondary Education Act of 1965 (20
17 U.S.C. 7171 et seq.);

18 (6) the Job Corps program under subtitle C of
19 title I of the Workforce Investment Act of 1998 (29
20 U.S.C. 2881 et seq.);

21 (7) the community development block grant
22 program under title I of the Housing and Commu-
23 nity Development Act of 1974 (42 U.S.C. 5301 et
24 seq.);

1 (8) the Gang Resistance Education and Train-
 2 ing projects under subtitle X of title III of the Vio-
 3 lent Crime Control and Law Enforcement Act of
 4 1994 (42 U.S.C. 13921);

5 (9) any program administered by the Office of
 6 Community Oriented Policing Services;

7 (10) the Juvenile Accountability Block Grant
 8 program under part R of title I of the Omnibus
 9 Crime Control and Safe Streets Act of 1968 (42
 10 U.S.C. 3796ee et seq.);

11 (11) the Edward Byrne Memorial Justice As-
 12 sistance Grant Program under subpart 1 of part E
 13 of title I of the Omnibus Crime Control and Safe
 14 Streets Act of 1968 (42 U.S.C. 3750 et seq.); and

15 (12) any other program that the Task Force
 16 determines to be appropriate.

17 (d) REPORTING REQUIREMENTS.—

18 (1) ANNUAL TASK FORCE REPORTS TO AG.—
 19 Not later than September 1 of each year, each Task
 20 Force shall submit to the Attorney General a report
 21 on the funding needs and programmatic outcomes
 22 for each area designated as a High Intensity Gang
 23 Activity Area.

24 (2) ANNUAL AG REPORT TO CONGRESS.—Not
 25 later than December 1 of each year, the Attorney

1 General shall submit a report to the appropriate
2 committees of Congress and the Director of the Of-
3 fice of Management and Budget and the Domestic
4 Policy Council that describes, for each designated
5 High Intensity Gang Activity Area—

6 (A) the specific long-term and short-term
7 goals and objectives of each such area;

8 (B) the measurements used to evaluate the
9 performance of the High Intensity Gang Activ-
10 ity Area in achieving the long-term and short-
11 term goals described under subparagraph (A);

12 (C) the age, composition, and membership
13 of gangs in each such area;

14 (D) the number and nature of crimes com-
15 mitted by gangs and gang members in each
16 such area;

17 (E) the definition of the term “gang” used
18 to compile the information required under this
19 subsection for each such area; and

20 (F) the programmatic outcomes and fund-
21 ing need of each High Intensity Gang Activity
22 Area, including—

23 (i) an evidence-based analysis of the
24 best practices and outcomes from the work

1 of the relevant local collaborative working
 2 group; and

3 (ii) an analysis of whether Federal re-
 4 sources distributed meet the needs of the
 5 High Intensity Gang Activity Area and, if
 6 any programmatic funding shortfalls exist,
 7 recommendations for programs or funding
 8 to meet such shortfalls.

9 **SEC. 505. AUTHORIZATION OF APPROPRIATIONS.**

10 There are authorized to be appropriated such sums
 11 as are necessary to meet any needs identified by the Attor-
 12 ney General or in any report submitted under section
 13 504(d)(2).

14 **Subtitle B—Community and Police**
 15 **Collaboration**

16 **SEC. 511. GANG PREVENTION GRANTS.**

17 (a) **AUTHORITY TO MAKE GRANTS.**—The Office of
 18 Community Oriented Policing Services of the Department
 19 of Justice may make grants, in accordance with such regu-
 20 lations as the Director may prescribe to units of local gov-
 21 ernment and Indian tribes with a PROMISE Coordinating
 22 Council (established in accordance with subtitle A or title
 23 II of this Act) to enable such PROMISE Coordinating
 24 Council to develop community-based programs that pro-
 25 vide crime prevention, research, and intervention services

1 that are designed to prevent violence and gang involve-
2 ment by youthful offenders and at-risk youth.

3 (b) USE OF GRANT AMOUNTS.—A grant under this
4 section may be used (including through subgrants) for—

5 (1) preventing initial gang recruitment and in-
6 volvement among younger teenagers;

7 (2) preventing violence and gang involvement
8 through nonviolent and constructive activities, such
9 as community service programs, development of non-
10 violent conflict resolution skills, employment and
11 legal assistance, family counseling, and other safe,
12 community-based alternatives for crime-involved or
13 high-risk youth;

14 (3) developing in-school and after-school gang
15 safety, control, education, and resistance procedures
16 and programs;

17 (4) identifying and addressing early childhood
18 risk factors for violence and gang involvement, in-
19 cluding parent training and childhood skills develop-
20 ment;

21 (5) identifying and fostering protective factors
22 that buffer children and adolescents from violence,
23 crime, and gang involvement;

24 (6) developing and identifying investigative pro-
25 grams designed to deter gang recruitment, involve-

1 ment, and activities through effective intelligence
 2 gathering;

3 (7) developing programs and youth centers for
 4 first-time nonviolent offenders facing alternative
 5 penalties, such as mandated participation in commu-
 6 nity service, restitution, counseling, and education
 7 and prevention programs;

8 (8) implementing multidisciplinary approaches
 9 to combat youth violence and gang involvement
 10 through coordinated programs operated by law en-
 11 forcement and other public, private, and faith-based
 12 community organizations for prevention and inter-
 13 vention (including street outreach programs and
 14 other peacemaking activities, such as Ceasefire,
 15 COMPSTAT, CAPS, and GRIP) or coordinated law
 16 enforcement activities (including crime mapping
 17 strategies that enhance focused crime prevention,
 18 intervention, and reintegration strategies for of-
 19 fender reentry); or

20 (9) identifying at-risk and high-risk students
 21 through home visits organized through joint collabo-
 22 rations between law enforcement, faith-based organi-
 23 zations, schools, other community based organiza-
 24 tions, and social workers.

25 (c) GRANT REQUIREMENTS.—

1 (1) MAXIMUM.—The amount of a grant under
2 this section may not exceed \$1,000,000.

3 (2) CONSULTATION AND COOPERATION.—Each
4 recipient of a grant under this section shall have in
5 effect on the date of the application by that entity
6 agreements to consult and cooperate with local,
7 State, or Federal law enforcement and participate,
8 as appropriate, in coordinated efforts to reduce gang
9 activity and violence.

10 (d) ANNUAL REPORT.—Each recipient of a grant
11 under this section shall submit to the Attorney General,
12 for each year in which funds from a grant received under
13 this section are expended, a report containing—

14 (1) a summary of the activities carried out with
15 grant funds during that year;

16 (2) an assessment of the effectiveness of the
17 crime prevention, research, and intervention activi-
18 ties of the recipient, based on data collected by the
19 grant recipient;

20 (3) a strategic plan for the year following the
21 year described in paragraph (1);

22 (4) evidence of consultation and cooperation
23 with local, State, or Federal law enforcement or, if
24 the grant recipient is a government entity, evidence

1 of consultation with an organization engaged in any
 2 activity described in subsection (b); and

3 (5) such other information as the Attorney
 4 General may require.

5 (e) DEFINITION.—In this section, the term “units of
 6 local government” includes sheriffs departments, police
 7 departments, and local prosecutor offices.

8 (f) AUTHORIZATION OF APPROPRIATIONS.—There
 9 are authorized to be appropriated for grants under this
 10 section, such sums as may be necessary for each of the
 11 fiscal years 2010 through 2014.

12 **SEC. 512. NATIONAL YOUTH ANTI-HEROIN MEDIA CAM-**
 13 **PAIGN.**

14 Section 709 of the Office of National Drug Control
 15 Policy Reauthorization Act of 1998 (21 U.S.C. 1708) is
 16 amended—

17 (1) by redesignating subsections (k) and (l) as
 18 subsections (l) and (m), respectively; and

19 (2) by inserting after subsection (j) the fol-
 20 lowing:

21 “(k) PREVENTION OF HEROIN ABUSE.—

22 “(1) FINDINGS.—Congress finds the following:

23 “(A) Heroin, and particularly the form
 24 known as ‘cheese heroin’ (a drug made by mix-
 25 ing black tar heroin with diphenhydramine),

1 poses a significant and increasing threat to
2 youth in the United States.

3 “(B) Drug organizations import heroin
4 from outside of the United States, mix the
5 highly addictive drug with diphenhydramine,
6 and distribute it mostly to youth.

7 “(C) Since the initial discovery of cheese
8 heroin on Dallas school campuses in 2005, at
9 least 21 minors have died after overdosing on
10 cheese heroin in Dallas County.

11 “(D) The number of arrests involving pos-
12 session of cheese heroin in the Dallas area dur-
13 ing the 2006–2007 school year increased over
14 60 percent from the previous school year.

15 “(E) The ease of communication via the
16 Internet and cell phones allows a drug trend to
17 spread rapidly across the country, creating a
18 national threat.

19 “(F) Gangs recruit youth as new members
20 by providing them with this inexpensive drug.

21 “(G) Reports show that there is rampant
22 ignorance among youth about the dangerous
23 and potentially fatal effects of cheese heroin.

24 “(2) PREVENTION OF HEROIN ABUSE.—In con-
25 ducting advertising and activities otherwise author-

1 ized under this section, the Director shall promote
2 prevention of youth heroin use, including cheese her-
3 oin.”.

4 **Subtitle C—City Youth Violence** 5 **Recovery**

6 **SEC. 521. SHORT TITLE.**

7 This subtitle may be cited as the “City Youth Vio-
8 lence Recovery Act”.

9 **SEC. 522. FINDINGS.**

10 The Congress finds the following:

11 (1) The mental health of young people is essen-
12 tial to their overall well-being. Mental health affects
13 how young people think, feel, and act; their ability
14 to learn and engage in relationships; their self-es-
15 teem; their ability to evaluate situations and make
16 choices; and their ability to handle stress, relate to
17 other people, and acquire the skills and training
18 needed for adulthood.

19 (2) Each year many children and adolescents
20 sustain injuries from violence, lose friends or family
21 members because of violence, or are adversely af-
22 fected by witnessing violence.

23 (3) Youth violence, perpetrated both by and
24 against young people, results in enormous physical,
25 emotional, social, and economic consequences.

1 (4) The National Institutes of Health has found
2 that inner-city children experience the greatest expo-
3 sure to violence, and youngsters who have been ex-
4 posed to community violence are more likely to ex-
5 hibit aggressive behavior or depression within the
6 following year.

7 (5) Any event that can cause a person to feel
8 fear, helplessness, horror, and a sense that life or
9 safety is in danger puts a person, especially children,
10 at risk for posttraumatic stress.

11 (6) Many cities lack the resources to provide
12 the appropriate youth counseling and therapy serv-
13 ices to minimize the long-term emotional harm of
14 community violence.

15 **SEC. 523. GRANTS TO PREVENT OR ALLEVIATE THE EF-**
16 **FECTS OF YOUTH VIOLENCE.**

17 (a) GRANTS.—The Attorney General of the United
18 States may award grants to eligible entities to prevent or
19 alleviate the effects of youth violence in eligible urban com-
20 munities by providing violence-prevention education, men-
21 toring, counseling, and mental health services to children
22 and adolescents in such communities.

23 (b) PRIORITY.—In awarding grants under this sec-
24 tion, the Attorney General shall give priority to applicants
25 that agree to use the grant in one or more eligible urban

1 communities that lack the monetary or other resources to
 2 address youth violence.

3 (c) LIMITATION.—The Attorney General may not
 4 make a grant to an eligible entity under this section unless
 5 the entity agrees to use not more than 15 percent of the
 6 funds provided through the grant for violence-prevention
 7 education.

8 (d) DEFINITIONS.—In this section:

9 (1) The term “eligible entity” means a partner-
 10 ship between a State mental health authority and
 11 one or more local public or private providers, such
 12 as a local government agency, State agency, edu-
 13 cational institution, or nonprofit or for-profit organi-
 14 zation.

15 (2) The term “eligible urban community”
 16 means an urban community with a high or increas-
 17 ing incidence of youth violence.

18 (e) AUTHORIZATION OF APPROPRIATIONS.—To carry
 19 out this section, there is authorized to be appropriated
 20 \$10,000,000 for each of fiscal years 2010 through 2014.

21 **TITLE VI—PRECAUTION ACT**

22 **SEC. 601. SHORT TITLE.**

23 This title may be cited as the “Prevention Resources
 24 for Eliminating Criminal Activity Using Tailored Inter-

1 ventions in Our Neighborhoods Act of 2009”, or the
2 “PRECAUTION Act”.

3 **SEC. 602. PURPOSES.**

4 The purposes of this title are to—

5 (1) establish a commitment on the part of the
6 Federal Government to provide leadership on suc-
7 cessful crime prevention and intervention strategies;

8 (2) further the integration of crime prevention
9 and intervention strategies into traditional law en-
10 forcement practices of State and local law enforce-
11 ment offices around the country;

12 (3) develop a plain-language, implementation-
13 focused assessment of those current crime and delin-
14 quency prevention and intervention strategies that
15 are supported by rigorous evidence;

16 (4) provide additional resources to the National
17 Institute of Justice to administer research and devel-
18 opment grants for promising crime prevention and
19 intervention strategies;

20 (5) develop recommendations for Federal prior-
21 ities for crime and delinquency prevention and inter-
22 vention research, development, and funding that
23 may augment important Federal grant programs, in-
24 cluding the Edward Byrne Memorial Justice Assist-
25 ance Grant Program under subpart 1 of part E of

1 title I of the Omnibus Crime Control and Safe
 2 Streets Act of 1968 (42 U.S.C. 3750 et seq.), grant
 3 programs administered by the Office of Community
 4 Oriented Policing Services of the Department of
 5 Justice, grant programs administered by the Office
 6 of Safe and Drug-Free Schools of the Department
 7 of Education, and other similar programs; and

8 (6) reduce the costs that rising violent crime
 9 imposes on interstate commerce.

10 **SEC. 603. DEFINITIONS.**

11 In this title, the following definitions shall apply:

12 (1) COMMISSION.—The term “Commission”
 13 means the National Commission on Public Safety
 14 Through Crime Prevention established under section
 15 604(a).

16 (2) RIGOROUS EVIDENCE.—The term “rigorous
 17 evidence” means evidence generated by scientifically
 18 valid forms of outcome evaluation, particularly ran-
 19 domized trials (where practicable).

20 (3) SUBCATEGORY.—The term “subcategory”
 21 means 1 of the following categories:

22 (A) Family and community settings (in-
 23 cluding public health-based strategies).

24 (B) Law enforcement settings (including
 25 probation-based strategies).

1 (C) School settings (including antigang
2 and general antiviolence strategies).

3 (4) TOP-TIER.—The term “top-tier” means any
4 strategy supported by rigorous evidence of the siz-
5 able, sustained benefits to participants in the strat-
6 egy or to society.

7 **SEC. 604. NATIONAL COMMISSION ON PUBLIC SAFETY**
8 **THROUGH CRIME PREVENTION.**

9 (a) ESTABLISHMENT.—There is established a com-
10 mission to be known as the National Commission on Pub-
11 lic Safety Through Crime Prevention.

12 (b) MEMBERS.—

13 (1) IN GENERAL.—The Commission shall be
14 composed of 9 members, of whom—

15 (A) 3 shall be appointed by the President,
16 1 of whom shall be the Assistant Attorney Gen-
17 eral for the Office of Justice Programs or a
18 representative of such Assistant Attorney Gen-
19 eral;

20 (B) 2 shall be appointed by the Speaker of
21 the House of Representatives, unless the Speak-
22 er is of the same party as the President, in
23 which case 1 shall be appointed by the Speaker
24 of the House of Representatives and 1 shall be

1 appointed by the minority leader of the House
2 of Representatives;

3 (C) 1 shall be appointed by the minority
4 leader of the House of Representatives (in addi-
5 tion to any appointment made under subpara-
6 graph (B));

7 (D) 2 shall be appointed by the majority
8 leader of the Senate, unless the majority leader
9 is of the same party as the President, in which
10 case 1 shall be appointed by the majority leader
11 of the Senate and 1 shall be appointed by the
12 minority leader of the Senate; and

13 (E) 1 member appointed by the minority
14 leader of the Senate (in addition to any ap-
15 pointment made under subparagraph (D)).

16 (2) PERSONS ELIGIBLE.—

17 (A) IN GENERAL.—Each member of the
18 Commission shall be an individual who has
19 knowledge or expertise in matters to be studied
20 by the Commission.

21 (B) REQUIRED REPRESENTATIVES.—At
22 least—

23 (i) 2 members of the Commission
24 shall be respected social scientists with ex-

1 perience implementing or interpreting rig-
2 orous, outcome-based trials; and

3 (ii) 2 members of the Commission
4 shall be law enforcement practitioners.

5 (3) CONSULTATION REQUIRED.—The President,
6 the Speaker of the House of Representatives, the mi-
7 nority leader of the House of Representatives, and
8 the majority leader and minority leader of the Sen-
9 ate shall consult prior to the appointment of the
10 members of the Commission to achieve, to the max-
11 imum extent possible, fair and equitable representa-
12 tion of various points of view with respect to the
13 matters to be studied by the Commission.

14 (4) TERM.—Each member shall be appointed
15 for the life of the Commission.

16 (5) TIME FOR INITIAL APPOINTMENTS.—The
17 appointment of the members shall be made not later
18 than 60 days after the date of enactment of this
19 Act.

20 (6) VACANCIES.—A vacancy in the Commission
21 shall be filled in the manner in which the original
22 appointment was made, and shall be made not later
23 than 60 days after the date on which the vacancy
24 occurred.

1 (7) EX OFFICIO MEMBERS.—The Director of
 2 the National Institute of Justice, the Director of the
 3 Office of Juvenile Justice and Delinquency Preven-
 4 tion, the Director of the Community Capacity Devel-
 5 opment Office, the Director of the Bureau of Justice
 6 Statistics, the Director of the Bureau of Justice As-
 7 sistance, and the Director of Community Oriented
 8 Policing Services (or a representative of each such
 9 director) shall each serve in an ex officio capacity on
 10 the Commission to provide advice and information to
 11 the Commission.

12 (c) OPERATION.—

13 (1) CHAIRPERSON.—At the initial meeting of
 14 the Commission, the members of the Commission
 15 shall elect a chairperson from among its voting
 16 members, by a vote of $\frac{2}{3}$ of the members of the
 17 Commission. The chairperson shall retain this posi-
 18 tion for the life of the Commission. If the chair-
 19 person leaves the Commission, a new chairperson
 20 shall be selected, by a vote of $\frac{2}{3}$ of the members of
 21 the Commission.

22 (2) MEETINGS.—The Commission shall meet at
 23 the call of the chairperson. The initial meeting of the
 24 Commission shall take place not later than 30 days

1 after the date on which all the members of the Com-
2 mission have been appointed.

3 (3) QUORUM.—A majority of the members of
4 the Commission shall constitute a quorum to con-
5 duct business, and the Commission may establish a
6 lesser quorum for conducting hearings scheduled by
7 the Commission.

8 (4) RULES.—The Commission may establish by
9 majority vote any other rules for the conduct of
10 Commission business, if such rules are not incon-
11 sistent with this title or other applicable law.

12 (d) PUBLIC HEARINGS.—

13 (1) IN GENERAL.—The Commission shall hold
14 public hearings. The Commission may hold such
15 hearings, sit and act at such times and places, take
16 such testimony, and receive such evidence as the
17 Commission considers advisable to carry out its du-
18 ties under this section.

19 (2) FOCUS OF HEARINGS.—The Commission
20 shall hold at least 3 separate public hearings, each
21 of which shall focus on 1 of the subcategories.

22 (3) WITNESS EXPENSES.—Witnesses requested
23 to appear before the Commission shall be paid the
24 same fees as are paid to witnesses under section
25 1821 of title 28, United States Code. The per diem

1 and mileage allowances for witnesses shall be paid
2 from funds appropriated to the Commission.

3 (e) COMPREHENSIVE STUDY OF EVIDENCE-BASED
4 CRIME PREVENTION AND INTERVENTION STRATEGIES.—

5 (1) IN GENERAL.—The Commission shall carry
6 out a comprehensive study of the effectiveness of
7 crime and delinquency prevention and intervention
8 strategies, organized around the 3 subcategories.

9 (2) MATTERS INCLUDED.—The study under
10 paragraph (1) shall include—

11 (A) a review of research on the general ef-
12 fectiveness of incorporating crime prevention
13 and intervention strategies into an overall law
14 enforcement plan;

15 (B) an evaluation of how to more effec-
16 tively communicate the wealth of social science
17 research to practitioners;

18 (C) a review of evidence regarding the ef-
19 fectiveness of specific crime prevention and
20 intervention strategies, focusing on those strate-
21 gies supported by rigorous evidence;

22 (D) an identification of—

23 (i) promising areas for further re-
24 search and development; and

1 (ii) other areas representing gaps in
 2 the body of knowledge that would benefit
 3 from additional research and development;

4 (E) an assessment of the best practices for
 5 implementing prevention and intervention strat-
 6 egies;

7 (F) an assessment of the best practices for
 8 gathering rigorous evidence regarding the im-
 9 plementation of intervention and prevention
 10 strategies; and

11 (G) an assessment of those top-tier strate-
 12 gies best suited for duplication efforts in a
 13 range of settings across the country.

14 (3) INITIAL REPORT ON TOP-TIER CRIME PRE-
 15 VENTION AND INTERVENTION STRATEGIES.—

16 (A) DISTRIBUTION.—Not later than 18
 17 months after the date on which all members of
 18 the Commission have been appointed, the Com-
 19 mission shall submit a public report on the
 20 study carried out under this subsection to—

21 (i) the President;

22 (ii) Congress;

23 (iii) the Attorney General;

24 (iv) the Chief Federal Public Defender
 25 of each district;

1 (v) the chief executive of each State;

2 (vi) the Director of the Administrative

3 Office of the Courts of each State;

4 (vii) the Director of the Administra-

5 tive Office of the United States Courts;

6 and

7 (viii) the attorney general of each

8 State.

9 (B) CONTENTS.—The report under sub-
10 paragraph (A) shall include—

11 (i) the findings and conclusions of the
12 Commission;

13 (ii) a summary of the top-tier strate-
14 gies, including—

15 (I) a review of the rigorous evi-
16 dence supporting the designation of
17 each strategy as top-tier;

18 (II) a brief outline of the keys to
19 successful implementation for each
20 strategy; and

21 (III) a list of references and
22 other information on where further in-
23 formation on each strategy can be
24 found;

(iii) recommended protocols for implementing crime and delinquency prevention and intervention strategies generally;

(iv) recommended protocols for evaluating the effectiveness of crime and delinquency prevention and intervention strategies; and

(v) a summary of the materials relied upon by the Commission in preparation of the report.

(C) CONSULTATION WITH OUTSIDE AUTHORITIES.—In developing the recommended protocols for implementation and rigorous evaluation of top-tier crime and delinquency prevention and intervention strategies under this paragraph, the Commission shall consult with the Committee on Law and Justice at the National Academy of Science and with national associations representing the law enforcement and social science professions, including the National Sheriffs' Association, the Police Executive Research Forum, the International Association of Chiefs of Police, the Consortium of Social Science Associations, and the American Society of Criminology.

1 (f) RECOMMENDATIONS REGARDING DISSEMINATION
 2 OF THE INNOVATIVE CRIME PREVENTION AND INTER-
 3 VENTION STRATEGY GRANTS.—

4 (1) SUBMISSION.—

5 (A) IN GENERAL.—Not later than 30 days
 6 after the date of the final hearing under sub-
 7 section (d) relating to a subcategory, the Com-
 8 mission shall provide the Director of the Na-
 9 tional Institute of Justice with recommenda-
 10 tions on qualifying considerations relating to
 11 that subcategory for selecting grant recipients
 12 under section 605.

13 (B) DEADLINE.—Not later than 13
 14 months after the date on which all members of
 15 the Commission have been appointed, the Com-
 16 mission shall provide all recommendations re-
 17 quired under this subsection.

18 (2) MATTERS INCLUDED.—The recommenda-
 19 tions provided under paragraph (1) shall include rec-
 20 ommendations relating to—

21 (A) the types of strategies for the applica-
 22 ble subcategory that would best benefit from
 23 additional research and development;

24 (B) any geographic or demographic tar-
 25 gets;

1 (C) the types of partnerships with other
 2 public or private entities that might be perti-
 3 nent and prioritized; and

4 (D) any classes of crime and delinquency
 5 prevention and intervention strategies that
 6 should not be given priority because of a pre-
 7 existing base of knowledge that would benefit
 8 less from additional research and development.

9 (g) FINAL REPORT ON THE RESULTS OF THE INNO-
 10 VATIVE CRIME PREVENTION AND INTERVENTION STRAT-
 11 EGY GRANTS.—

12 (1) IN GENERAL.—Following the close of the 3-
 13 year implementation period for each grant recipient
 14 under section 605, the Commission shall collect the
 15 results of the study of the effectiveness of that grant
 16 under section 605(b)(3) and shall submit a public
 17 report to the President, the Attorney General, Con-
 18 gress, the chief executive of each State, and the at-
 19 torney general of each State describing each strategy
 20 funded under section 605 and its results. This re-
 21 port shall be submitted not later than 5 years after
 22 the date of the selection of the chairperson of the
 23 Commission.

24 (2) COLLECTION OF INFORMATION AND EVI-
 25 DENCE REGARDING GRANT RECIPIENTS.—The Com-

1 mission's collection of information and evidence re-
2 garding each grant recipient under section 605 shall
3 be carried out by—

4 (A) ongoing communications with the
5 grant administrator at the National Institute of
6 Justice;

7 (B) visits by representatives of the Com-
8 mission (including at least 1 member of the
9 Commission) to the site where the grant recipi-
10 ent is carrying out the strategy with a grant
11 under section 605, at least once in the second
12 and once in the third year of that grant;

13 (C) a review of the data generated by the
14 study monitoring the effectiveness of the strat-
15 egy; and

16 (D) other means as necessary.

17 (3) MATTERS INCLUDED.—The report sub-
18 mitted under paragraph (1) shall include a review of
19 each strategy carried out with a grant under section
20 605, detailing—

21 (A) the type of crime or delinquency pre-
22 vention or intervention strategy;

23 (B) where the activities under the strategy
24 were carried out, including geographic and de-
25 mographic targets;

1 (C) any partnerships with public or private
2 entities through the course of the grant period;

3 (D) the type and design of the effective-
4 ness study conducted under section 605(b)(3)
5 for that strategy;

6 (E) the results of the effectiveness study
7 conducted under section 605(b)(3) for that
8 strategy;

9 (F) lessons learned regarding implementa-
10 tion of that strategy or of the effectiveness
11 study conducted under section 605(b)(3), in-
12 cluding recommendations regarding which types
13 of environments might best be suited for suc-
14 cessful replication; and

15 (G) recommendations regarding the need
16 for further research and development of the
17 strategy.

18 (h) PERSONNEL MATTERS.—

19 (1) TRAVEL EXPENSES.—The members of the
20 Commission shall be allowed travel expenses, includ-
21 ing per diem in lieu of subsistence, at rates author-
22 ized for employees of agencies under subchapter I of
23 chapter 57 of title 5, United States Code, while
24 away from their homes or regular places of business
25 in the performance of service for the Commission.

1 (2) COMPENSATION OF MEMBERS.—Members of
2 the Commission shall serve without compensation.

3 (3) STAFF.—

4 (A) IN GENERAL.—The chairperson of the
5 Commission may, without regard to the civil
6 service laws and regulations, appoint and termi-
7 nate an executive director and such other addi-
8 tional personnel as may be necessary to enable
9 the Commission to perform its duties. The em-
10 ployment of an executive director shall be sub-
11 ject to confirmation by the Commission.

12 (B) COMPENSATION.—The chairperson of
13 the Commission may fix the compensation of
14 the executive director and other personnel with-
15 out regard to the provisions of chapter 51 and
16 subchapter III of chapter 53 of title 5, United
17 States Code, relating to classification of posi-
18 tions and General Schedule pay rates, except
19 that the rate of pay for the executive director
20 and other personnel may not exceed the rate
21 payable for level V of the Executive Schedule
22 under section 5316 of such title.

23 (4) DETAIL OF FEDERAL EMPLOYEES.—With
24 the affirmative vote of $\frac{2}{3}$ of the members of the
25 Commission, any Federal Government employee,

1 with the approval of the head of the appropriate
2 Federal agency, may be detailed to the Commission
3 without reimbursement, and such detail shall be
4 without interruption or loss of civil service status,
5 benefits, or privileges.

6 (i) CONTRACTS FOR RESEARCH.—

7 (1) NATIONAL INSTITUTE OF JUSTICE.—With a
8 $\frac{2}{3}$ affirmative vote of the members of the Commis-
9 sion, the Commission may select nongovernmental
10 researchers and experts to assist the Commission in
11 carrying out its duties under this title. The National
12 Institute of Justice shall contract with the research-
13 ers and experts selected by the Commission to pro-
14 vide funding in exchange for their services.

15 (2) OTHER ORGANIZATIONS.—Nothing in this
16 subsection shall be construed to limit the ability of
17 the Commission to enter into contracts with other
18 entities or organizations for research necessary to
19 carry out the duties of the Commission under this
20 section.

21 (j) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated \$5,000,000 to carry out
23 this section.

24 (k) TERMINATION.—The Commission shall terminate
25 on the date that is 30 days after the date on which the

1 Commission submits the last report required by this sec-
 2 tion.

3 (l) EXEMPTION.—The Commission shall be exempt
 4 from the Federal Advisory Committee Act.

5 **SEC. 605. INNOVATIVE CRIME PREVENTION AND INTERVEN-**
 6 **TION STRATEGY GRANTS.**

7 (a) GRANTS AUTHORIZED.—The Director of the Na-
 8 tional Institute of Justice may make grants to public and
 9 private entities to fund the implementation and evaluation
 10 of innovative crime or delinquency prevention or interven-
 11 tion strategies. The purpose of grants under this section
 12 shall be to provide funds for all expenses related to the
 13 implementation of such a strategy and to conduct a rig-
 14 orous study on the effectiveness of that strategy.

15 (b) GRANT DISTRIBUTION.—

16 (1) PERIOD.—A grant under this section shall
 17 be made for a period of not more than 3 years.

18 (2) AMOUNT.—The amount of each grant under
 19 this section—

20 (A) shall be sufficient to ensure that rig-
 21 orous evaluations may be performed; and

22 (B) shall not exceed \$2,000,000.

23 (3) EVALUATION SET-ASIDE.—

24 (A) IN GENERAL.—A grantee shall use not
 25 less than \$300,000 and not more than

1 \$700,000 of the funds from a grant under this
2 section for a rigorous study of the effectiveness
3 of the strategy during the 3-year period of the
4 grant for that strategy.

5 (B) METHODOLOGY OF STUDY.—

6 (i) IN GENERAL.—Each study con-
7 ducted under subparagraph (A) shall use
8 an evaluator and a study design approved
9 by the employee of the National Institute
10 of Justice hired or assigned under sub-
11 section (c).

12 (ii) CRITERIA.—The employee of the
13 National Institute of Justice hired or as-
14 signed under subsection (c) shall ap-
15 prove—

16 (I) an evaluator that has success-
17 fully carried out multiple studies pro-
18 ducing rigorous evidence of effective-
19 ness; and

20 (II) a proposed study design that
21 is likely to produce rigorous evidence
22 of the effectiveness of the strategy.

23 (iii) APPROVAL.—Before a grant is
24 awarded under this section, the evaluator
25 and study design of a grantee shall be ap-

1 proved by the employee of the National In-
2 stitute of Justice hired or assigned under
3 subsection (c).

4 (4) DATE OF AWARD.—Not later than 6 months
5 after the date of receiving recommendations relating
6 to a subcategory from the Commission under section
7 4(f), the Director of the National Institute of Jus-
8 tice shall award all grants under this section relating
9 to that subcategory.

10 (5) TYPE OF GRANTS.—One-third of the grants
11 made under this section shall be made in each sub-
12 category. In distributing grants, the recommenda-
13 tions of the Commission under section 4(f) shall be
14 considered.

15 (6) AUTHORIZATION OF APPROPRIATIONS.—
16 There are authorized to be appropriated
17 \$18,000,000 to carry out this subsection.

18 (c) DEDICATED STAFF.—

19 (1) IN GENERAL.—The Director of the National
20 Institute of Justice shall hire or assign a full-time
21 employee to oversee the grants under this section.

22 (2) STUDY OVERSIGHT.—The employee of the
23 National Institute of Justice hired or assigned under
24 paragraph (1) shall be responsible for ensuring that

1 grantees adhere to the study design approved before
2 the applicable grant was awarded.

3 (3) LIAISON.—The employee of the National
4 Institute of Justice hired or assigned under para-
5 graph (1) may be used as a liaison between the
6 Commission and the recipients of a grant under this
7 section. That employee shall be responsible for en-
8 suring timely cooperation with Commission requests.

9 (4) AUTHORIZATION OF APPROPRIATIONS.—
10 There are authorized to be appropriated \$150,000
11 for each of fiscal years 2010 through 2014 to carry
12 out this subsection.

13 (d) APPLICATIONS.—A public or private entity desir-
14 ing a grant under this section shall submit an application
15 at such time, in such manner, and accompanied by such
16 information as the Director of the National Institute of
17 Justice may reasonably require.

18 (e) COOPERATION WITH THE COMMISSION.—Grant
19 recipients shall cooperate with the Commission in pro-
20 viding them with full information on the progress of the
21 strategy being carried out with a grant under this section,
22 including—

23 (1) hosting visits by the members of the Com-
24 mission to the site where the activities under the
25 strategy are being carried out;

(2) providing pertinent information on the logistics of establishing the strategy for which the grant under this section was received, including details on partnerships, selection of participants, and any efforts to publicize the strategy; and

(3) responding to any specific inquiries that may be made by the Commission.

TITLE VII—ADDITIONAL IMPROVEMENTS TO JUVENILE JUSTICE

SEC. 701. YOUTH VICTIM AND WITNESS ASSISTANCE PROGRAM.

(a) IN GENERAL.—Section 31702 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13862) is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(5) by a State, unit of local government, or Indian tribe to create and expand witness and victim protection programs to prevent threats, intimidation,

1 and retaliation against juvenile victims of, and wit-
 2 nesses to, violent crimes.”.

3 (b) EXPANSION OF FEDERAL WITNESS RELOCATION
 4 AND PROTECTION PROGRAM.—Section 3521(a)(1) of title
 5 18, United States Code, is amended by inserting “criminal
 6 street gang, serious drug offense, homicide,” after “orga-
 7 nized criminal activity”.

8 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
 9 31707 of the Violent Crime Control and Law Enforcement
 10 Act of 1994 (42 U.S.C. 13867) is amended to read as
 11 follows:

12 **“SEC. 31707. AUTHORIZATION OF APPROPRIATIONS.**

13 “There are authorized to be appropriated \$5,000,000
 14 for each of the fiscal years 2010 through 2014 to carry
 15 out this subtitle.”.

16 **SEC. 702. EXPANSION AND REAUTHORIZATION OF THE**
 17 **MENTORING INITIATIVE FOR SYSTEM-IN-**
 18 **VOLVED YOUTH.**

19 (a) EXPANSION.—Section 261(a) of the Juvenile Jus-
 20 tice and Delinquency Prevention Act of 1974 (42 U.S.C.
 21 5665(a)) is amended by adding at the end the following:
 22 “Not later than 6 months after the date of enactment of
 23 the Youth PROMISE Act, the Administrator shall expand
 24 the number of sites receiving such grants from 4 to 12.”.

1 (b) AUTHORIZATION OF PROGRAM.—Section 299(c)
 2 of the Juvenile Justice and Delinquency Prevention Act
 3 of 1974 (42 U.S.C. 5671(c)) is amended—

4 (1) by striking “There are authorized” and in-
 5 serting the following:

6 “(1) IN GENERAL.—There are authorized”; and

7 (2) by adding at the end the following:

8 “(2) AUTHORIZATION OF APPROPRIATIONS FOR
 9 MENTORING INITIATIVE.—There are authorized to
 10 be appropriated to carry out the Mentoring Initiative
 11 for System-Involved Youth Program under part E
 12 \$4,800,000 for each of fiscal years 2010 through
 13 2014.”.

14 **SEC. 703. STUDY ON ADOLESCENT DEVELOPMENT AND**
 15 **SENTENCES IN THE FEDERAL SYSTEM.**

16 (a) IN GENERAL.—The United States Sentencing
 17 Commission shall conduct a study to examine the appro-
 18 priateness of sentences for minors in the Federal system.

19 (b) CONTENTS.—The study conducted under sub-
 20 section (a) shall—

21 (1) incorporate the most recent research and
 22 expertise in the field of adolescent brain development
 23 and culpability;

24 (2) evaluate the toll of juvenile crime, particu-
 25 larly violent juvenile crime, on communities;

1 (3) consider the appropriateness of life sen-
2 tences without possibility for parole for minor of-
3 fenders in the Federal system; and

4 (4) evaluate issues of recidivism by juveniles
5 who are released from prison or detention after serv-
6 ing determinate sentences.

7 (c) REPORT.—Not later than 1 year after the date
8 of enactment of this Act, the United States Sentencing
9 Commission shall submit to Congress a report regarding
10 the study conducted under subsection (a), which shall—

11 (1) include the findings of the Commission;

12 (2) describe significant cases reviewed as part
13 of the study; and

14 (3) make recommendations, if any.

15 (d) REVISION OF GUIDELINES.—If determined ap-
16 propriate by the United States Sentencing Commission
17 after completing the study under subsection (a), the Com-
18 mission may, pursuant to its authority under section 994
19 of title 28, United States Code, establish or revise guide-
20 lines and policy statements, as warranted, relating to the
21 sentencing of minors.

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